

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF SEATTLE,

Defendant.

) Case No. 2:12-cv-01282-JLR

) **STIPULATED MOTION TO EXTEND
VARIOUS DEADLINES IN THE
FOURTH YEAR MONITORING PLAN**

) **Noted for: December 1, 2016**

The City of Seattle, through its attorney, Peter S. Holmes, Seattle City Attorney, and the United States of America, through its undersigned attorneys (together, "the Parties"), respectfully request that the Court extend the deadlines for a number of tasks set forth in the Fourth Year Monitoring Plan.¹ (*See* Dkt. #294.) The Court-appointed Monitor, Merrick Bobb, also joins in this request.

The Parties have been working collaboratively, as well as with the Monitoring Team, to compile data and information, to engage in discussions concerning assessment methodologies, and to

¹ The Parties note that the deadlines for the Use of Force Assessment, Early Intervention System Assessment, Type II Investigations Re-Assessment, and Bias-Free Policing training were previously extended pursuant to a stipulated motion and the Court's Order, dated September 19, 2016. (*See* Dkt. #315.)

1 begin and complete the remaining assessments set forth in the Fourth-Year Monitoring Plan. As the
2 Court is aware, the following assessments are outstanding: (1) Supervision Assessment; (2) Type II
3 Investigations Re-Assessment; (3) Early Intervention System Assessment; (4) Use of Force
4 Assessment; and (5) Stops Assessment. The Parties and the Monitoring Team are working diligently
5 on these assessments, while continuing to draft and review policies, and to develop and effectuate
6 ongoing SPD trainings.

7 The Parties are cognizant of the public interest in the expeditious completion of the
8 outstanding assessments. However, the Parties respectfully represent that the extensions of time
9 requested below will facilitate their completion in a thorough and comprehensive manner, while
10 allowing the Parties to continue to give necessary attention to policies and training. The Parties note
11 that these extensions will not impact the expected timeframe for a finding of compliance (if one is
12 warranted) in Fall 2017, as set forth in the Monitor's Seventh Semi-Annual report. With the requested
13 extensions, the assessments will still be on track to be completed by mid-2017.

14 For these reasons, the Parties and the Monitoring Team jointly propose the following revised
15 dates:

16 **Policy Drafting**

17 • **Force Investigation Team Manual:**

- 18 ○ Final draft completed by the City/SPD – December 2, 2016
19 ○ FIT Manual filed with the Court – December 16, 2016

20 • **Crowd Management Policy:**

- 21 ○ Final draft completed by the City/SPD – January 13, 2017
22 ○ Crowd Management policy filed with the Court – January 27, 2017
23

1 • **Body Worn Cameras Policy:**

- 2 ○ Final draft completed by the City/SPD – February 17, 2017
3 ○ Body Worn Cameras policy filed with the Court – March 3, 2017

4 **Policy Review**

5 • **Use of Force Policy:**

- 6 ○ Final draft completed by the City/SPD – March 31, 2017
7 ○ Updated Use of Force policy filed with the Court – April 14, 2017

8 • **Bias-Free Policing and Stops and Detentions Policy:**

- 9 ○ Final draft completed by the City/SPD – March 31, 2017
10 ○ Updated Bias-Free Policing and Stops and Detentions policy filed with the Court
11 – April 14, 2017

12 **Training**

13 • **Anti-Defamation League Implicit Bias and Bias-Free Policing Training:**

- 14 ○ Training finalized – December 31, 2016
15 ○ Train-the-trainer completed – January 31, 2017
16 ○ Training completed for all SPD command staff – March 31, 2017
17 ○ Training completed for all SPD employees – December 31, 2017

18 **Structures**

19 • **Body Worn Cameras:**

- 20 ○ City files plan with the Court – January 27, 2017

21 • **Force Review Board:**

- 22 ○ City publishes annual report – January 31, 2017
23

Assessments

• **Supervision Assessment:**

- Draft assessment provided to the Parties – November 21, 2016
- Assessment filed with the Court – December 31, 2016

• **Type II Investigations Re-Assessment:**

- Draft assessment provided to the Parties – December 16, 2016
- Assessment filed with the Court – January 27, 2017

• **Early Intervention System Assessment:**

- Draft assessment provided to the Parties – February 13, 2017
- Assessment filed with the Court – March 3, 2017

• **Use of Force Assessment:**

- Cases provided by the City/SPD to the Monitoring Team – December 16, 2016
- Case review completed – February 17, 2017
- Draft assessment provided to the Parties – March 17, 2017
- Assessment filed with the Court – March 31, 2017

• **Stops Assessment:**

- Assessment methodology provided to the Parties by the Monitoring Team –
December 1, 2016
- Data and cases provided by the City/SPD to the Monitoring Team – December
22, 2016
- Draft assessment provided to the Parties – April 7, 2017
- Assessment filed with the Court – April 28, 2017

1 Lastly, while not included in the Fourth Year Monitoring Plan, the Parties, with the Monitor's
 2 approval, propose the following additional deadline:

3 • **SPD's 2017 Training Plan:**

- 4 ○ Training plan completed by the City/SPD – December 9, 2016
- 5 ○ Training plan filed with the Court – December 31, 2016

6 DATED this 1st day of December, 2016.

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 8 For the CITY OF SEATTLE

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 Seattle City Attorney

10 s/Andrew T. Myerberg

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 15 For the UNITED STATES OF AMERICA:

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**STIPULATED MOTION TO EXTEND FOURTH YEAR
 MONITORING PLAN DEADLINES - 5**
 (12-CV-01282-JLR)

Peter S. Holmes
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 (206) 684-8200

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2 DATED this 1st day of December 2016.

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5 HONORABLE JAMES L. ROBERT
6 United States District Judge
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**STIPULATED MOTION TO EXTEND FOURTH YEAR
MONITORING PLAN DEADLINES - 6**
(12-CV-01282-JLR)

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CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system on the following counsel of record:

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DATED this 1st day of December, 2016, at Seattle, King County, Washington.

s/Andrew T. Myerberg

Andrew Myerberg, Assistant City Attorney

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